REMARKS

Applicant respectfully requests reconsideration of the present U.S. application. Claims 1-10 remain in the application.

A. 35 U.S.C. § 103(a)

Avery - Claim 1-10

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being obvious over the U.S. Patent No. 6,181,008 issued January 30, 2001 to Leslie Avery, et al. (hereinafter "the Avery patent") in view of the EP patent application No. 0 622 847 A2 published February 11, 1994 to Evan Davidson et al. (hereinafter "the Davidson reference") (Office Action, page 2). For at least the reasons set forth below, Applicant submits that the claims 1-10 are not rendered obvious by the Avery patent.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Independent claims 1 (from which claims 2-5 depend) and independent claim 6 (from which claims 7-10 depend) of the present invention teach an array of contacts on a surface of a power converter.

With regard to claims 1-10, the Office relies on the Avery patent for a teaching of a "power converter adapted to convert the voltage corresponding to an array of contacts on the land grid array socket." (Office Action, page 2). The Office admits the Avery patent does not disclose contacts placed on the surface of a power converter, as in independent claims 1 and 6 of the present invention. The Office relies on Davidson for disclosing contacts placed on the surface of chips, and contends that "it would have been obvious to place the grid array socket on an array of contacts mounted on the surface of the power converter, since the rearranging of parts of an invention involves only routine skill in the art" under *In re Japikse* (Office Action, page 2).

The Avery patent teaches a power supply circuit chip 34 (DC-DC converter, col. 3, line 34 which is mounted in each of the recesses 24 in the body 14 of the substrate (LGA socket) 12 (col. 3, lines 31-32). The array of contacts associated with the socket at 18 or 20 are located on the substrate, as shown in FIG.1, but, as admitted by Office Action, the Avery patent does not teach an array of contacts on a surface of the power converter chip, as required by independent claims 1 and 6 of the present invention. Furthermore, the Davidson reference does not overcome this void in the teaching of the Avery patent. The Davidson reference teaches contacts placed on the surface of chips (see abstract). However, these chips are not power converters, (i.e., as required in independent claims 1 and 6 of the present invention).

To compensate for this lack in the teachings of these references, the Office Action merely relies on the premise that parts are being rearranged, which involves only routine skill in the art. This is insufficient. As such a contention would only assist the Office in establishing the third part of M.P.E.P. 706.02(j) that the prior art references when combined teach or suggest all the claim limitations (Applicants do not admit that this has been properly established). However, the

Office has failed to establish the first part of M.P.E.P. 706.02(j) that there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. The Office has shown no such suggestion or motivation.

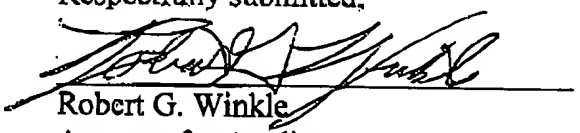
Therefore, since there is no suggestion or motivation to modify or combine the Avery patent and the Davidson reference, the Office Action has failed to establish a prima facie case of obviousness. Thus, independent claims 1 and 6 are not rendered obvious by the Avery patent in view of Davidson reference.

If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1998). Because dependent claims 2-5 and 7-10 depend from claim 1 and 6 respectively, Applicant submits that claims 2-5 and 7-10 are not rendered obvious by the Avery patent in view of the Davidson reference.

Therefore, reconsideration and withdrawal of the Section 103(a) rejection of claims 1-10 are respectfully requested.

In view of the foregoing remarks, the Applicants request allowance of the application. Please forward further communications to the address of record. If the Examiner needs to contact the below-signed attorney to further the prosecution of the application, the contact number is (208) 433-9217.

Respectfully submitted,



Dated: April 28, 2003

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